

Bedford Hills, New York  
December 18, 2012

The second regular meeting for the month of December of the Town Board of the Town of Bedford was held on December 18, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00pm by Supervisor Roberts

**Present:**

Lee V. A. Roberts	: Supervisor
Peter Chryssos	: Councilman
Francis T. Corcoran	: Councilman
Chris Burdick	: Councilman
David Gabrielson	: Councilman
Lisbeth Fumagalli	: Town Clerk
Joel H. Sachs	: Town Attorney
William Hayes	: Chief of Police
Amy Pectol	: Receiver of Taxes
Jeffrey Osterman	: Director of Planning
William Heidepriem	: Superintendent of Recreation & Parks

There were fourteen (14) residents/observers present.

MOMENT OF SILENCE – to honor the victims and their families of the tragic shooting in Newtown, CT.

Mrs. Roberts offered a moment of silence to honor the victims, 20 children and 6 adults as well as their families, of the tragic shooting at Sandy Hook Elementary School in Newtown, Connecticut.

ENERGIZE RECOGNITION EVENT – Energize NY and Bedford 2020 Coalition. Supervisor Roberts, Mark Thielking, Energy Director and Tom Bregman of EnergizeNY presented Certificates of Recognition to residents that had made energy saving home improvements through the programs offered by EnergizeNY and the Bedford 2020 Coalition.

PRESENTATION – National Alliance on Mental Illness request for Town of Bedford participation in Mental Health Awareness ribbon campaign – May 2013.

A representative of the National Alliance on Mental Illness discussed the participation of the Town of Bedford in a national awareness campaign for mental illness with placement of ribbons on trees in the Town of Bedford during May of next year.

On a motion by Mr. Chryssos, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby support the efforts of the National Alliance on Mental Illness and grants permission for ribbons to be placed on trees in the Town of Bedford during the month of May 2013 to heighten awareness of this cause and representatives of the group shall work with Town of Bedford Town Planner Jeffrey Osterman on the selection of the trees to place the ribbons.

DISCUSSION – Resolution to expedite consideration of proposals to more effectively control guns.

The Town Board discussed the events of December 14, 2012 with the shooting of 20 children and 6 adults at the Sandy Hook Elementary School in Newtown, Connecticut. Mr. Burdick proposed a resolution on gun control to be sent to all State and Federal officials. Mr. Corcoran felt that in addition, the Town Board should do more at a local level.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was

ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board of the Town of Bedford urges President Obama, the Congress, Governor Andrew Cuomo and the New York State Legislature to expedite consideration of proposals to more effectively control guns; among other things, to consider at the Federal level, reinstating the ban on assault weapons; to consider at the State level, tightening the State's ban on assault weapons (e.g. banning high volume magazine clips), a cap on the number of firearms a person can buy to one a month, a 10-day waiting period, improved record keeping on the sale of guns and the closing background check loopholes.

APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	2012
Paid Prior to Audit	\$ 393,693.89
General Fund	47,973.70
Highway Fund	330,149.46
Consolidated Water District	16,204.34
Cedar Downs Water District	111.00
Farms Water District	37.00
Old Post Road Water District	74.00
Drug Abuse	9,170.37
Trust and Agency	2,100.00
Energy	19,400.01
Special Districts:	
Bedford Village Memorial Park	1,575.32
Bedford Hills Memorial Park	998.01
Katonah Memorial Park	1,025.28
Katonah Lighting District	<u>603.05</u>
Capital Projects	<u>903,274.39</u>
	\$ 1,726,389.82

MONTHLY REPORTS

Mrs. Roberts advised that the monthly reports were available for review in the offices of the Supervisor and the Town Clerk

DEPARTMENTS

1. Request for Town Board consideration to approve 2013 fee schedules for:
  - a. Day Camps

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the 2013 Town of Bedford Camp rates as follows as per the memorandum dated December 11, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks:

Discounted Rate – March to May

Day Camp – Discount 2013		Tiny Tots – Discount 2013	
1 <sup>st</sup> Child	\$431.00	1 <sup>st</sup> Child	\$349.00
Each Additional Child	\$354.00	Each Additional Child	\$292.00

December 18, 2012 – Regular meeting - continued

1 <sup>st</sup> Session	\$359.00	1 <sup>st</sup> Session	\$297.00
Each Additional Child	\$292.00	Each Additional Child	\$246.00

Regular Rate – May to August

Day Camp – Regular 2013		Tiny Tots – Regular 2013	
1 <sup>st</sup> Child	\$656.00	1 <sup>st</sup> Child	\$543.00
Each Additional Child	\$543.00	Each Additional Child	\$451.00
1 <sup>st</sup> Session	\$548.00	1 <sup>st</sup> Session	\$456.00
Each Additional Child	\$451.00	Each Additional Child	\$384.00

Teen Camp

Teen Travel	\$1,000.00
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School District Non – Residents

Day Camp	\$1,065.00
Tiny Tots	\$ 810.00

b. Pool Memberships

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the 2013 Town of Bedford Pool Membership rates as follows as per the memorandum dated December 11, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks:

Discounted Rate - March to May

Regular Rate – May to August

<u>Pool Discount</u>	<u>Rate</u>	<u>Pool Regular</u>	<u>Rate</u>
Family	\$293.00	Family	\$338.00
Adult	\$144.00	Adult	\$166.00
Child	\$ 51.00	Child	\$ 64.00
Senior 65+	\$ 44.00	Senior 60+	\$ 44.00
Child Care Provider	\$321.00	Child Care Provider	\$338.00
Adult Pay Tag + \$8 Daily	\$ 79.00	Adult Pay Tag + \$8 Daily	\$ 79.00
Guest – Adult (19+)	\$10.00		
Guest – Child (2-18)	\$ 8.00		
Guest – Senior (65+)	\$ 5.00		
Adult Guest Discount Card	\$80/10 visits		
Child Guest Discount Card	\$50/10 visits		

School District Non-Residents

Pools	\$1,051.00
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c. Swim and Dive Team Memberships

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the 2013 Town of Bedford Swim and Dive Team fees as follows, as per the memorandum dated December 11, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks:

2013 Fee		Town Share	S&D Share
\$105.00	1 <sup>st</sup> child	\$85.00	\$20.00
\$100.00	2 <sup>nd</sup> child	\$85.00	\$15.00
\$ 95.00	3 <sup>rd</sup> child+	\$80.00	\$15.00

d. Bedford Hills Community House Rentals

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve and adopt the following rates for the use of the Bedford Hills Community House during the calendar year 2013 as per the memorandum dated December 11, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks:

Bedford Hills Community House Rental	2013
Main Auditorium w/ kitchen and lounge	\$420.00/ 6Hrs.
Lower Level Activity Area “Legion” Room	\$ 55.00/ Hr.
Board Room	\$ 35.00/ Hr.
Lounge Room	\$ 35.00/ Hr.
Sun Room	\$ 35.00/ Hr.
Community Group Use Rate	\$ 10.00/Hr.
Main Auditorium Room Use Deposit	\$250.00
Lower Level Activity Room Deposit	\$100.00
Bedford Community Theater Office Space Use	\$100.00 per month

e. Platform Tennis Court Group Use Reservations

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve and adopt the following rates for the use of the Platform Tennis Courts, Group Reservations, during the calendar year 2013 as per the memorandum dated December 11, 2012 from Bill Heidepriem, Superintendent of Recreation and Parks:

Session 1 – November and December 2012 – NO fee  
Session 2 – January and February 2013 - \$170.00  
Session 3 – March and April 2013 - \$170.00  
Session 4 – November and December 2013 - \$170.00

2. Approve Amendment 5 to original agreement with O’Brien & Gere Engineers/Hahn Engineering.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve Amendment #5 to the original agreement with O’Brien & Gere Engineers/Hahn Engineering Joint Venture as per the memorandum dated December 10, 2012 from James J. Hahn, Town Consulting Engineer.

PERSONNEL

1. Notification of Retirement – Sgt. John W. Purdy.

On a motion by Mr. Chryssos, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby accept the retirement notification of Sergeant John W. Purdy from the Town of Bedford Police Department after a twenty-six year

career, effective December 29, 2012 as per the memorandum dated December 13, 2012 from Joan Gallagher, Director of Personnel.

2. Notification of Retirement – Sgt. Matthew J. Dunn.

On a motion by Mr. Chryssos, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby accept the retirement notification of Sergeant Matthew J. Dunn from the Town of Bedford Police Department, after twenty-four (24) years serving the residents of the Town of Bedford, effective December 28, 2012 as per the memorandum dated December 13, 2012.

3. Notification of Retirement – Detective Matthew D. DiBiase.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby accept the retirement notification of Detective Matthew D. DiBiase from the Town of Bedford Police Department, effective December 29, 2012 after twenty-four (24) years on the force, as per the memorandum dated December 13, 2012 from Joan Gallagher, Director of Personnel.

4. Detective Recommendation – Police Officer William Smith to Youth Officer Detective.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the promotion of Police Officer William Smith to Youth Officer Detective, as with the retirement of Detective Matthew D. DiBiase, Detective Joseph Communale has been reassigned to General Investigations, said promotion to Youth Officer Detective is effective January 1, 2013 at an annual salary of \$99,505.00 as per the memorandum dated December 13, 2012 from Joan Gallagher, Director of Personnel.

5. Police Officer Appointment – Douglas W. Romeo.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby appoint Douglas W. Romeo to the position of Police Officer 4<sup>th</sup> Grade in the Town of Bedford Police Department to fill the vacancy left by the retirement of Police Officer Joseph Liburdi, pending a psychological/emotional fitness evaluation and medical evaluation, and approval of his transfer from the Town of Carmel Police Department by the Commissioner of Human Resources for Westchester County, with a tentative start date of January 14, 2013 at an annual salary of \$61,746.00 as per the memorandum dated December 13, 2012 from Joan Gallagher, Director of Personnel.

6. Police Officer Appointment – Laura S. Lena

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint Laura S. Lena to the position of Police Officer 4<sup>th</sup> Grade in the Town of Bedford Police Department to fill the vacancy left by the retirement of Police Officer John Dunn, pending a psychological/emotional fitness evaluation and medical evaluation, and approval of her transfer from the Town of Carmel Police Department by the Commissioner of Human Resources for Westchester County, with a tentative start date of January 14, 2013 at an annual salary of \$61,746.00 as per the memorandum dated December 13, 2012 from Joan Gallagher, Director of Personnel.

7. Appointments to Boards and Commissions:

- a. Clayton Rose to the Bedford Village Historic District Review Commission.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint Clayton Rose to the Bedford Village Historic District Review Commission for a three (3) year term, said term to expire January 20, 2015.

- b. Chris Roberts to the Communication Committee.

- c. Lauron Lewis to the Communication Committee.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint Chris Roberts and Lauron Lewis to the Communication Committee for the remainder of a three year term, said term to expire July 1, 2013.

- d. M. Linda Martin to the Open Space Committee.

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint M. Linda Martin to the Open Space Acquisition Committee to fill a vacancy on that committee, said term to expire December 31, 2013.

- e. Clark Petschek to the Zoning Board of Appeals.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint Clark Petschek to the Zoning Board of Appeals to fill the vacancy created by the resignation of David Menken, to fill Mr. Menken's unexpired term, said term to expire January 20, 2017.

7, Appointment of Chair of Planning Board.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED that the Town Board does hereby appoint Deirdre Courtney-Batson to the position of Chair of the Town of Bedford Planning Board to replace Donald J. Coe, effective December 31, 2012.

8. Appointment of Chair of Zoning Board of Appeals.

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby appoint Peter Michaelis to the position of Chair of the Town of Bedford Zoning Board of Appeals to replace David Menken, effective January 1, 2013.

OLD BUSINESS

1. Sale of Town Property.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby grant approval for the sale of Town Property, located on Lakeside Drive, Katonah, shown as 7P-26 on Town Tax Maps to Allan H. and Nancy Wiltse, 41 Lakeside Drive, Katonah, New York, in the amount of \$1800.00.

NEW BUSINESS

1. Consider appointment of Tree Ordinance Working Group.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby appoint a working group to review the current Town of Bedford Tree ordinance and make recommendations for updates.

2. Set Work Sessions.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby set a work session on legislation for Special Permits, recycling and single stream carting for Thursday, January 17, 2013 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby set a work session on the Historic Building Preservation ordinance for Wednesday, January 30, 2013 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby change the date of the second regularly scheduled monthly meeting for the month of January 2013 from Tuesday, January 15, 2013 to Tuesday, January 22, 2013 at 8:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby schedule a joint meeting with the Town of Bedford Planning Board to review the Stepping Stones application for Tuesday, January 22, 2013 at 7:00pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

3. Executive Session – Personnel.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board shall discuss matters of personnel in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion, the Town Board adjourned to executive session at 10:06pm.

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Lisbeth Fumagalli, Town Clerk

On December 18, 2012 at 10:10 p.m. the Town Board unanimously voted to go into Executive Session to discuss personnel matters. Attending the Town Board meeting were Supervisor Roberts and Town Board members Chryssos, Corcoran, Burdick and Gabrielson. Also attending were Town Building Inspector Steve Fraietta, Town Planner Jeff Osterman and Town Attorney Joel Sachs.

At the outset of the meeting, Town Attorney Sachs was appointed Acting Town Clerk for the purposes of the meeting.

There followed a discussion among the Board members and Messers. Fraietta, Osterman and Sachs as to certain members on the Zoning Board of Appeals and the Planning Board of the Town.

No decisions were made and no actions were taken.

The Executive Session adjourned at approximately 10:40 p.m.

Respectfully submitted,

Joel H. Sachs  
Town Attorney and Acting Deputy Town  
Clerk